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Attorneys for PLAINTIFFS
(Additional attorneys listed on following page)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

SONYA RENEE; CANDICE JOHNSON, a minor, by
Sonya Renee, her guardian ad litem; MARIBEL
HEREDIA; JOSE ALDANA, a minor, by Maribel
Heredia, his guardian ad litem; B. DOE, a minor, by N.
Doe, her guardian ad litem; MARIEL RUBIO;
DANIELLE RUBIO, a minor, by Mariel Rubio, her
guardian ad litem; STEPHANIE RUBIO, a minor, by
Mariel Rubio, her guardian ad litem; GUADALUPE
GONZALEZ; DAISY GONZALEZ, a minor, by
Guadalupe Gonzalez, her guardian ad litem; JAZMINE
JOHNSON, a minor, by Deanna Bolden, her guardian ad
litem; ADRIANA RAMIREZ, a minor, by Arcelia
Trinidad Ramirez, her guardian ad litem; JANE DOE, a
minor, by John Doe, her guardian ad litem;
CALIFORNIANS FOR JUSTICE EDUCATION FUND;
CALIFORNIA ASSOCIATION OF COMMUNITY
ORGANIZATIONS FOR REFORM NOW,

Plaintiffs,

v.

MARGARET SPELLINGS, in her official capacity;
UNITED STATES DEPARTMENT OF EDUCATION,

Defendants.

Case No. 07-4299-PJH .

NOTICE OF APPEAL

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1 Notice is hereby given that all Plaintiffs, as set forth above, in the above named case hereby
2 appeal to the United States Court of Appeals for the Ninth Circuit from the District Court's final
3 judgment in this action, dated July 2, 2008, and its opinion and order granting Defendants' Cross-
4 Motion for Summary Judgment and denying Plaintiffs' Motion for Summary Judgment, dated June 17,
5 2008.

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8 Dated: July 18, 2008

Respectfully submitted,

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11 JOHN T. AFFELDT
12 TARA KINI
13 PUBLIC ADVOCATES, INC.

14 JEFFREY SIMES
15 PATRICK THOMPSON
16 DAVID B. COOK
17 ELIZABETH F. STONE
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19 Attorneys for Plaintiffs
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REPRESENTATION STATEMENT
FRAP 12(b); Circuit Rule 3-2

The above-captioned plaintiffs in this action are represented by:

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1 Defendants Margaret Spellings and the United States Department of Education are represented by:

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PROOF OF SERVICE

I, the undersigned, declare that I am over the age of 18 and am not a party to this action. I am employed in the City and County of San Francisco, California; my business address is Goodwin Procter LLP, Three Embarcadero Center, 24th Floor, California 94111.

On the date below I served the following documents described as:

1. NOTICE OF APPEAL; and
2. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT CIVIL APPEALS DOCKETING STATEMENT (with Attachments).

☐ U.S. MAIL I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day in the ordinary course of business.

☒ OVERNIGHT COURIER SERVICE: I caused such documents[s] to be delivered by FEDERAL EXPRESS for delivery the following business day.

☐ FACSIMILE TRANSMISSION: I caused such document[s] to be sent by facsimile transmission to the above-listed fax number for the party(ies) indicated.

on the interested parties in this action by placing a true and correct copy thereof, on the above date, enclosed in a sealed envelope, following the ordinary business practice of Goodwin Procter LLP, as follows:

Michael Q. Hyde
Trial Attorney
Civil Division, Federal Programs Branch
United States Department of Justice
20 Massachusetts Ave., N.W., Room 7132
P.O. Box 883
Washington DC 20044
Tel: 202.514.2205
Fax: 202.616.8470

I am readily familiar with the firm's practice of collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in San Francisco, California in sealed envelopes with postage fully prepaid.

1 I declare under penalty of perjury under the laws of the State of California that the foregoing
2 is true and correct. This declaration is executed in San Francisco, California, on July 18, 2008.

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5 Robert L. Novak
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Court Name: U.S. District Court, NDCA
Division: 3
Receipt Number: 34611021441
Cashier ID: almaceh
Transaction Date: 07/18/2008
Payer Name: Specialized Legal Services,

NOTICE OF APPEAL/DOCKETING FEE
For: S A RENEE
Case/Party: D-CAN-3-07-CV-004299-001
Amount: \$455.00

CHECK
Check/Money Order Num: 31505
Amt Tendered: \$455.00

Total Due: \$455.00
Total Tendered: \$455.00
Change Amt: \$0.00

PJH

Checks and drafts are accepted
subject to collections and full
credit will only be given when the
check or draft has been accepted by
the financial institution on which
it was drawn.